

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|--------------------|---|------------------------------|
| MATTHEW TODD BOYER | : | CIVIL ACTION NO. 1:14-cv-730 |
| | : | |
| Plaintiff | : | (Judge Kane) |
| | : | (Magistrate Judge Cohn) |
| v. | : | |
| | : | |
| CAROLYN W. COLVIN, | : | |
| Commissioner of | : | |
| Social Security | : | |
| | : | |
| Defendant | : | |

ORDER

Before the Court in the above captioned action is an October 8, 2015 Report and Recommendation of the Magistrate Judge. The Defendant waived the opportunity to file objections (Doc. No. 17). **ACCORDINGLY**, this 22nd day of October 2015, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation (Doc. No. 16) of Magistrate Judge Cohn.
- 2) The decision of the Commissioner of Social Security denying Plaintiff's benefits under the Act is **VACATED** and the case is **REMANDED** to the Commissioner of Social Security to develop the record fully, conduct a new administrative hearing and appropriately evaluate the evidence.
- 3) The Clerk of Court shall **CLOSE** the case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania